

Attorney Docket  
No. 99R1360

REMARKS

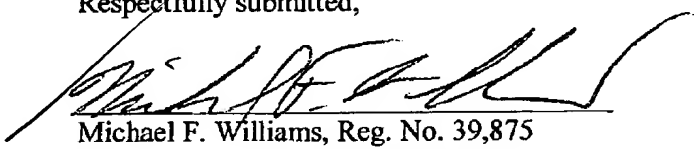
A Response to the October 5, 2001, restriction requirement was filed on November 5, 2001. The Applicant has elected claims 1-55, 63 and 64. Claims 3, 7-15, 26, 46, 49, 50 and 63 have been amended to more clearly claim the invention. This preliminary amendment adds forty-nine new claims. The new claims are believed to be consonant with the elected claims. The new claims are being added to replace non-elected claims 56-62 and to more fully claim the invention.

The number and type of the new claims exceed the number of the non-elected claims. Accordingly, it is believed that additional claim fees have been generated by the filing of the new claims. Consequently, a Fee Transmittal form accompanies this document. The Commissioner is hereby authorized to charge Deposit Account No. 19-2260 in the amount of all fees generated by the filing of this Preliminary Amendment. The Commission is also authorized to credit or charge Deposit Account No. 19-2260, as appropriate, in the event that there has been an overpayment of claim fees or an underpayment of any fees generated by this filing.

Applicant respectfully requests entry and examination of the prior filed and elected claims and of the related new and amended claims submitted herein.

Respectfully submitted,

November 21, 2001  
Date

  
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**Version of the Amended Claims With Markings Showing Changes Made**

3. (Amended) The method according to claim 2, wherein said agricultural product comprises an unharvested agricultural product [crop].

7. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information identifying a grower of said bulk flowable material.

8. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information identifying an owner of said bulk flowable material.

9. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information indicating geographic origin of said bulk flowable material.

10. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information indicating a genetic property of said bulk flowable material.

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11. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information indicating a historical record of said bulk flowable material.

12. (Amended) The method according to claim 2, wherein said [determined] property identification marker contains information indicating [comprises] a crop variety designation related to said agricultural product.

13. (Amended) The method according to claim 2, wherein said [determined] property identification marker contains information indicating [comprises] a specific trait associated with said agricultural product.

14. (Amended) The method according to claim 2, wherein said [determined] property identification marker contains [comprises] information useful for indicating whether said agricultural product is a genetically modified organism.

15. (Amended) The method according to claim 2, wherein said [determined] property identification marker contains [comprises] information indicating said agricultural product's genetic content.

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26. (Amended) The method according to claim 1, wherein said property identification marker comprises a color[ed]-coded marker.

46. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information indicating a prior chemical treatment of said bulk flowable material.

49. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information indicating future handling regarding said bulk flowable material.

50. (Amended) The method according to claim 1, wherein said [determined] property identification marker contains [comprises] information indicating prior testing of said bulk flowable material.

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63. (Amended) A[n apparatus] material identification system, comprising:

a plurality of property identification markers; and

a marker dispenser capable of periodically dispensing said plurality of property identification markers into a flowing bulk flowable material;

wherein said plurality of property identification markers carry information identifying a physical characteristic of a bulk flowable material in which it is placed.

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**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that, on the date shown below, a facsimile cover sheet of one (1) page; a signed Fee Transmittal, of one (1) page, and a signed PRELIMINARY AMENDMENT, consisting of nineteen (19) pages, are being facsimile transmitted to Examiner Khoa D. Huynh, Group Art Unit 3751, fax number (703) 872-9302 at the Patent and Trademark Office.

Date: November 21, 2001

  
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